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TO: Commissioner for Patents
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 Facsimile No. (703) 872-9306

Number of pages (including this cover page): 33

In re Patent Application of:)	Group Art Unit: 1631
HOGAN et al.)	Examiner: Marschel, A.H.
Serial No. 08/454,529)	Atty. Docket No. GP004-16.DV4
Filed: May 30, 1995)	Confirmation No. 7594
Title: METHODS FOR DETERMINING THE PRESENCE OF NON-VIRAL ORGANISMS IN A SAMPLE)	Date: November 9, 2004

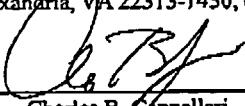
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- 1) Transmittal Form, Form PTO/SB/21 (1 pg.); and
- 2) Response to Office Communication (31 pgs.)

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Date: November 9, 2004

By: 
 Charles B. Cappellari
 Registration No. 40,937

PTO/SB/21 (05-04)

Approved for use through 07/31/2006. OMB 0651-0031
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**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

		Application Number	08/454,529
		Filing Date	May 30, 1995
		First Named Inventor	James J. Hogan
		Art Unit	1831
		Examiner Name	Marschel, A.
Total Number of Pages in This Submission	33	Attorney Docket Number	GP004-16.DV4

ENCLOSURES (Check all that apply)

<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input checked="" type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Facsimile Cover Sheet
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<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Reply to Missing Parts/ Incomplete Application	<input type="checkbox"/> Landscape Table on CD	
<input type="checkbox"/> <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53		
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Gen-Probe Incorporated		
Signature			
Printed name	Charles B. Cappellari		
Date	November 9, 2004	Reg. No.	40,937

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Typed or printed name	Charles B. Cappellari	Date	November 9, 2004

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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HOGAN *et al.*) Examiner: Marschel, A.
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Filed: May 30, 1995) **VIA FACSIMILE**
)
For: METHODS FOR DETERMINING)
THE PRESENCE OF NON-VIRAL)
ORGANISMS IN A SAMPLE)

RESPONSE TO OFFICE COMMUNICATION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicants received an Office Communication mailed on November 1, 2004 in the above-captioned application which indicated that Applicants' Amendment filed on June 6, 2004 was non-responsive because of improper use of status identifiers for indicating claim status. In response, Applicants are re-presenting below their reply to the Office Action mailed on December 17, 2003. The only changes to Applicants' Amendment filed on June 6, 2004 herein are corrections to the claim status identifiers in accordance with 37 C.F.R. § 1.121. Applicants again kindly request that the Examiner enter the following amendments and consider the following remarks.